

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

FILED
U.S. DISTRICT COURT
INDIANAPOLIS DIVISION

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SOUTHERN DISTRICT
OF INDIANA
LAURA A. BRIGGS
CLERK

WILLIAM R. BOUSUM

Plaintiff

v.

ENHANCED RECOVERY COMPANY, LLC
F.K.A. ENHANCED RECOVERY CORPORATION

Defendant

Civil Action No.

1 : 11 -cv- 1377 TWP-DML

COMPLAINT FOR VIOLATION OF FEDERAL LAW

The Complaint For Violation Of Federal Law of WILLIAM R. BOUSUM by his attorneys, UAW-Chrysler LLC Legal Services Plan, is as follows:

1. This is an action for statutory damages brought by an individual consumer for violations of the Fair Debt Collection Practices Act, 15 USC 1692 et. seq. ("FDCPA"), which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.
2. Jurisdiction of this Court arises under 15 USC 1692k(d) and 28 USC 1331.
3. Plaintiff WILLIAM R. BOUSUM is a natural person currently residing in Kokomo, IN and is a "consumer" within the meaning of the Fair Debt Collection Practices Act.
4. Defendant ENHANCED RECOVERY COMPANY, LLC ("Defendant") is a Delaware limited liability company with its principal place of business located in Jacksonville, Florida. The Defendant regularly attempts to collect consumer debts asserted to be due another.
5. Defendant communicated by letter with Plaintiff in an attempt to collect a consumer debt allegedly due an underlying creditor on or about February 17, 2011. Exhibit A.
6. Defendant was notified on December 19, 2008, and again on August 6, 2009 by certified mail that Plaintiff was represented by an attorney regarding the alleged debt. Exhibits B & C.
7. Despite the notification of attorney representation, Defendant communicated directly to the Plaintiff in an attempt to collect the alleged debt.

8. In a communication with Plaintiff, Defendant made a false representation regarding the character, amount or legal status of the debt, including the following: That there is an account with AT&T with a balance of \$163.03.

9. In its attempts to collect the alleged debt from Plaintiff, Defendant has committed violations of the Fair Debt Collection Practices Act, 15 USC 1692 et. seq., including, but not limited to, the following:

A. Communicating with the Plaintiff, knowing the Plaintiff was represented by an attorney. 15 USC 1692c(a)(2).

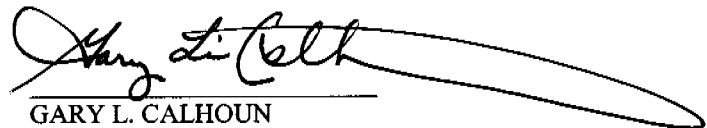
B. Falsely representing the character, amount or legal status of the debt. 15 USC 1692e(2)(A).

WHEREFORE, Plaintiff respectfully requests that judgment be entered against the Defendant for:

A. Statutory damages, costs and reasonable attorney fees pursuant to 15 USC 1692k;

B. Such other and further relief as may be just and proper.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Gary L. Calhoun", is written over a horizontal line.

GARY L. CALHOUN
Indiana Bar #4183-50
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